

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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JESSICA JONES, MICHELLE VELOTTA, and )  
CHRISTINA LORENZEN on Behalf of Themselves )  
and All Others Similarly Situated, )  
Plaintiffs, ) Civil Action No.: 2:20-cv-02892  
v. ) JURY DEMAND  
VARSITY BRANDS, LLC; VARSITY SPIRIT, LLC; )  
VARSITY SPIRIT FASHIONS & SUPPLIES, LLC; )  
U.S. ALL STAR FEDERATION, INC.; JEFF WEBB; )  
CHARLESBANK CAPITAL PARTNERS LLC; and )  
BAIN CAPITAL PRIVATE EQUITY, )  
Defendants. )

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**UNOPPOSED MOTION EXTENDING MEDIATION DEADLINE**

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Defendants Varsity Brands, LLC, Varsity Spirit, LLC, Varsity Spirit Fashions & Supplies, LLC, U.S. All Star Federation, Inc., Jeff Webb, Charlesbank Capital Partners LLC, and Bain Capital Private Equity (“Defendants”), by and through their undersigned counsel, respectfully move this Court for an Order granting additional time to allow the parties to select a new mediator for the Initial Intervention called for by Rule 4.3(a) of the Court’s ADR Plan and extending the mediation deadline previously set by the Court in this case pursuant to the Scheduling Order entered by the Court on April 7, 2021. *See* ECF No. 61.

The parties previously agreed to mediate this case before Layn Phillips. *See* Joint Stipulation as to Selection of Mediator, ECF No. 46. The Court’s Scheduling Order set May 28, 2021 as the deadline for completing the Initial Intervention pursuant to Rule 4.3(a) of the Court’s ADR Plan. Scheduling issues have prevented Defendants from securing an Initial Intervention

date prior to this deadline, and Mr. Phillips is largely unavailable through at least August given other matters his office is handling.

Accordingly, Defendants request that the parties be allowed additional time, up to and including June 18, 2021, to reach agreement with Plaintiffs on a new mediator to conduct the Initial Intervention pursuant to Section 5.4(b) of the Court's ADR Plan and to file a stipulation with the Court noting the selection. If the Parties are unable to reach agreement on a mediator, Defendants propose that the parties file a stipulation with the Court on or before June 18, 2021 stating so and request that the Court appoint a mediator pursuant to Section 5.4(a) of the ADR Plan. Defendants also request that the Court allow the parties until July 31, 2021 to complete the Initial Intervention under Rule 4.3(a) of the ADR Plan.

WHEREFORE, Defendants respectfully request this Court enter an Order Granting their Unopposed Motion Extending Mediation Deadline, submitted contemporaneously hereto, as to the relief set out in this motion.

Respectfully submitted,

**BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.**

s/ Matthew S. Mulqueen

Adam S. Baldridge (TN #23488)  
Matthew S. Mulqueen (TN #28418)  
165 Madison Avenue, Suite 2000  
Memphis, Tennessee 38103  
Telephone: (901) 577-8234  
Facsimile: (901) 577-0843  
Email: abaldridge@bakerdonelson.com  
Email: mmulqueen@bakerdonelson.com

**CLEARY GOTTLIEB STEEN &  
HAMILTON LLP**

George Cary  
Steven Kaiser  
Alexis Collins  
Mark W. Nelson  
2112 Pennsylvania Avenue, NW  
Suite 1000  
Washington, DC 20037  
Telephone: (202) 974-1554  
Email: [gcarly@cgsh.com](mailto:gcarly@cgsh.com)  
Email: [skaiser@cgsh.com](mailto:skaiser@cgsh.com)  
Email: [alcollins@cgsh.com](mailto:alcollins@cgsh.com)  
Email: [mnelson@cgsh.com](mailto:mnelson@cgsh.com)

*Counsel for Defendants Varsity Brands, LLC,  
Varsity Spirit, LLC, Varsity Spirit Fashions &  
Supplies, LLC, Charlesbank Capital Partners  
LLC and Bain Capital Private Equity*

**LOCKE LORD LLP**

s/ Paul Coggins  
Paul Coggins  
Brendan Patrick Gaffney  
2200 Ross Avenue, Suite 2800  
Dallas, TX 75201  
Telephone: (214) 740-8104  
Facsimile: (214) 756-8104  
Email: [pcoggins@lockelord.com](mailto:pcoggins@lockelord.com)  
Email: [bgaffney@lockelord.com](mailto:bgaffney@lockelord.com)

*Counsel for Defendant Jeff Webb*

**BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.**

s/ Nicole D. Berkowitz  
Grady M. Garrison (TN #008097)  
Nicole D. Berkowitz (TN #35046)  
165 Madison Avenue, Suite 2000  
Memphis, TN 38103  
Telephone: (901) 526-2000  
Facsimile: (901) 577-2303  
Email: [ggarison@bakerdonelson.com](mailto:ggarison@bakerdonelson.com)

Email: nberkowitz@bakerdonelson.com

*Counsel for Defendant U.S. All Star Federation, Inc.*

**CERTIFICATE OF CONSULTATION**

Counsel for Defendants consulted with Plaintiffs' counsel on May 18th and 24th, 2021 via telephone, and May 28th, 2021 via email, and Plaintiffs' counsel informed Defendants' counsel that Plaintiffs do not oppose the relief requested in this motion.

s/ Matthew S. Mulqueen

Matthew S. Mulqueen

**CERTIFICATE OF SERVICE**

I hereby certify that on this 28th day of May, 2021, the foregoing was served on the Plaintiffs via the Court's Electronic Filing System and/or by emailing a true and exact copy to the following counsel of record:

Joseph R. Saveri, Esq.  
Elissa Amlin Buchanan, Esq.  
Kevin Rayhill, Esq.  
Steven N. Williams, Esq.  
Anna-Patrice Harris, Esq.  
**JOSEPH SAVERI LAW FIRM, INC.**  
601 California St., Suite 1000  
San Francisco, CA 94108  
Email: jsaveri@saverilawfirm.com  
Email: eabuchanan@saverilawfirm.com  
Email: krayhill@saverilawfirm.com  
Email: swilliams@saverilawfirm.com  
Email: aharris@saverilawfirm.com

Van Davis Turner, Jr., Esq.  
**BRUCE TURNER, PLLC**  
2650 Thousand Oaks Boulevard  
Suite 2325  
Memphis, TN 38118  
Email: vturner@bruceturnerlaw.net

Jason Scott Hartley, Esq.  
**HARTLEY LLP**  
101 West Broadway, Suite 820  
San Diego, CA 92101  
Email: hartley@hartleyllp.com

Richard Paul, III, Esq.  
Sean R. Cooper, Esq.  
**PAUL LLP**  
601 Walnut Street, Suite 300  
Kansas City, MO 64106  
Email: Rick@PaulLLP.com  
Email: sean@paulllp.com

*Counsel for Plaintiffs*

s/ Matthew S. Mulqueen  
Matthew S. Mulqueen